

Remarks

This amendment is responsive to the official action mailed February 13, 2006, wherein allowable subject matter was indicated as to claims 11, 17 and 18; objections or rejections were made under 35 U.S.C. §112, second paragraph, as to claim 4, claim 6 and the claims depending from claim 6. The remaining claims were rejected as anticipated by one or more of Cropelli (6,802,089), Martin (4,271,543), Svensson (6,324,988) or Chen (5,632,049).

Claims 11, 17 and 18 have been placed in allowable form in accordance with the official action, namely by combining with claims 11 and 17 the subject matter of their base and intervening claims. Allowance of these claims is requested. The claims remain within the number for which official fees already have been paid. No new matter is presented.

The objections and rejections for indefiniteness have been overcome by amending claims 4 and 6. Claim 4 is amended to adopt the language suggested in the official action for reciting the plural at least partly identically shaped brackets (see, e.g., brackets 2 in Figs. 1 and 2). Claim 6 is amended to depend from claim 4 rather than claim 1. Claim 6 has as amended states that the brackets have attachment sections (identified as 2a, 2b in Fig. 2) that are arranged to fit between ends of aligned sections of the wall mounting rod at a joint (rod sections 1a, 1b in Fig. 1), and also to fit between an end of a section of wall-mounting rod and a terminating element (see element 3 in Figs 1 and 2). The claims as amended are definite. No new matter is presented. Reconsideration and withdrawal of the objections or rejections under 35 U.S.C. §112, second paragraph, are requested.

Regarding the rejections under 35 U.S.C. §102, claim 1 has been amended to more particularly define the invention and to better distinguish over the prior art of record. Claim 1 defines the guiding profile as having a slot. Importantly, this slot of the guiding profile is defined as being open to a front side of the wall-mounting rod and open to both end faces of the wall-mounting rod. This structure, together with

the claimed bracket that attaches between aligned sections of the wall-mounting rod, while leaving the guiding profile clear (i.e., the bracket does not obstruct the guiding profile slot), allows the slide to be moved along the slot from one section of the wall-mounting rod to the next. Furthermore, the slot along the wall-mounting rod sections extends clear to the end faces of the wall-mounting rod sections. This enables the slide to be passed into or out of the slot at either end if left unterminated or preferably if terminated by a bracket that can be affixed to the wall surface. Even if terminated by a terminating element (an end cap) on a bracket at a distal end, the slider can be placed in the guiding profile or removed from it, during or after assembly of the arrangement, relatively easily by removing the end cap.

A structure as defined in claim 1 as a whole is not disclosed in any of the prior art references cited under 35 U.S.C. §102.

Cropelli has a wall-mounting rod with a slot that is formed by lateral attachment of right and left side parts. The slot in Cropelli is open to the front and the rear but the Cropelli slot does not extend clear to the end faces of a wall mounting rod, or to the ends of any section of a wall mounting rod in an assembly. Fig. 1 of Cropelli shows that the end of the slot is closed at a point spaced from the ends of the wall-mounting rod. Cropelli has end brackets 21, 31 for attachment to the wall surface, but they are not configured to continue an unobstructed slot or similar guiding profile. As to applicant's dependent claims, Cropelli's brackets are not structured to join co-linear aligned sections of the wall-mounting rod. Cropelli's brackets cannot engage the end face of a rod section and also a terminating element. Cropelli's brackets are one-sided terminating elements. Cropelli does not disclose applicant's invention claimed as a whole.

Nor does Cropelli render the invention obvious. Cropelli's brackets could not routinely be re-configured to join sections using a bracket structure similar to that shown. Cropelli's structure would provide a guiding slot that is discontinuously blocked between sections of the wall-mounting rod. Assuming that the Cropelli slot was extended to the end and through the mounting bracket, Cropelli's laterally

bifurcated wall mounting rod would need other support, because without more, the two sides would fall apart.

There is no suggestion in Cropelli of how or why the person of ordinary skill could or should re-work the idea of a wall-mounting rod with a guide slot and brackets, to accommodate the elongation of the guide slot over a concatenation of rod sections, while providing a bracket by which the rod sections are mounted to a surface, and also enabling the slider to be passed over the length of the rods as well as into and/or out of the slot at one or another of the ends of the wall-mounting rod. The differences between applicant's invention and Cropelli are such that the subject matter claimed as a whole cannot be deemed obvious.

Martin also does not disclose or suggest the invention as claimed. Martin has a tube mounted on end posts to the wall. The slide is guided along the outside of the tube and connected through a slot 30 to a mechanism inside the tube. A tube, per se, is open at its ends, but Martin has obstructed the ends such that it is not possible to move the slider beyond the guiding profile at one or the other of the ends. The obstructions include the structural attachment of the rod to each end post, which involves a bolt passing through the rod into the post. The obstructions include Martin's mechanism of endless belt pulleys, which inherently limit the span over which the slider can move. In fact, Martin's slider cannot even approach the end of the rod due to movable element 14. Martin fails to teach or suggest the possibility of a guiding profile by which a slider can pass one or another of the end brackets at which a rod section is mounted to the wall surface or joined with another rod section. Martin fails to disclose or suggest applicant's invention as a whole.

The patent to Chen is similar to Martin in that the ends of a single length of rod are terminated by the wall mounting element (which in Chen is another post structure) in a way that obstructs the slider. In Chen, the mountings are such that the slider cannot even approach the end of the structure due to interference of the posts.

Such references fail to disclose applicant's invention, and actually teach away. Applicant's claim 1 defines an arrangement wherein the bracket does not obstruct a guide slot. A number of applicant's dependent claims further define the bracket as connecting aligned lengths of rod and/or providing an end element that can receive a terminal cap part that might be removed readily to pass the slide over the terminating end. None of the prior art references meet the invention claimed as a whole.

The Svensson reference cited against claims 1 and 5 also fails to disclose or suggest applicant's claimed invention as a whole. Svensson involves a supporting rail for moving the exhaust pipes of vehicles. There appears to be no discussion of a wall mounting bracket. The official action refers to a bracket 12, which seems to be an error because reference numeral 12 refers to the threaded holes 12 in the elements that fit telescopically into the ends of aligned lengths of Svensson's rail and receive bolts passed through the surface of the rail to thread into the elements inside. Svensson has a carriage element from which the rail is to be hung by a chain. The carriage element resembles a slider, but the carriage element is fixed in place by bolt 28 (see col. 3, lines 46-52) and provides support by which the rail is hung by the chain from some overhead surface.

Svensson does not disclose applicant's arrangement to include a wall mounting rod or sections of wall mounting rod, wherein the brackets serve to fasten the rod to a surface. Svensson's telescopically arranged connector lengths have no relationship to mounting the rod. Svensson does not disclose applicant's invention, and it is only possible to compare Svensson's structure to applicant's invention by omitting elements of the invention that are claimed (such as wall mounting), and by reading Svensson's structures randomly against applicant's claims (namely without regard to which parts do the mounting, which do the connecting, etc.).

The claims have been amended to more particularly and distinctly define the subject matter of the invention and to better distinguish over the prior art of record. The invention claimed as a whole is not disclosed in the prior art. The differences

between the invention and the prior art are such that the subject matter claimed as a whole is not shown to have been known or obvious.

Applicant is pleased to note the indication of allowable subject matter as to certain claims. By this amendment, the remaining claims are amended so as to be allowable as well. Therefore, reconsideration and allowance of claims 1-18 are requested.

Respectfully submitted,

Date: July 12, 2006

Docket No. D4700-378
P42498US

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